

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

IN RE: Cesar M. Campos

Case No.: 16-11111

Judge: Rosemary Gambardella

Debtor(s)

Chapter: 13

CHAPTER 13 PLAN AND MOTIONS - AMENDED

☐ Original☒ Modified/Notice Required☒ Discharge Sought☐ Motions Included☐ Modified/No Notice Required☐ No Discharge SoughtDate: April 3,
2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor shall pay 406.44 Monthly to the Chapter 13 Trustee, starting on February 1, 2016 for approximately 60 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒ Future Earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

| Creditor | Type of Priority | Amount to be Paid |
|---------------------|------------------|-------------------|
| Russell L. Low 4745 | Attorney Fees | 2,500.00 |

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

| Creditor | Collateral or Type of Debt | Arrearage | Interest Rate on Arrearage | Amount to be Paid to Creditor (In Plan) | Regular Monthly Payment (Outside Plan) |
|-----------------------|---|-----------|----------------------------|---|--|
| Nationwide Acceptance | 27 St. James Place Clifton, NJ 07013 Passaic County Location: 27 Saint James Place, Clifton NJ 07013 Co-Owned with Wife Monica Campos | 17,040.00 | 4.75 | 19,447.30 | 2,130.00 |

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section

1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Superior Liens | Value of Creditor Interest in Collateral | Annual Interest Rate | Total Amount to Be Paid |
|----------|------------|----------------|------------------------|----------------|--|----------------------|-------------------------|
| -NONE- | | | | | | | |

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

| Creditor | Collateral to be Surrendered | Value of Surrendered Collateral | Remaining Unsecured Debt |
|----------|------------------------------|---------------------------------|--------------------------|
| -NONE- | | | |

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor
US Department of HUD

e. Secured Claims to be paid in full through the Plan

| Creditor | Collateral | Total Amount to be Paid through the Plan |
|----------|------------|--|
| -NONE- | | |

Part 5: Unsecured Claims

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

_____ Not less than \$ _____ to be distributed *pro rata*

_____ Not less than _____ percent

_____ *x* _____ *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

| Creditor | Basis for Separate Classification | Treatment | Amount to be Paid |
|----------|-----------------------------------|-----------|-------------------|
| -NONE- | | | |

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

| Creditor | Nature of Contract or Lease | Treatment by Debtor |
|----------------|-------------------------------|---------------------|
| ALLY FINANCIAL | Monthly payments: \$465.00 | NO Arrearage |

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

| Creditor | Nature of Collateral | Type of Lien | Amount of Lien | Value of Collateral | Amount of Claimed Exemption | Sum of All Other Liens Against the Property | Amount of Lien to be Avoided |
|----------|----------------------|--------------|----------------|---------------------|-----------------------------|---|------------------------------|
| -NONE- | | | | | | | |

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Amount of Lien to be Reclassified |
|----------|------------|-----------------------------------|
| -NONE- | | |

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Amount to be Deemed Secured | Amount to be Reclassified as Unsecured |
|----------|------------|-----------------------------|--|
| -NONE- | | | |

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims

- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: January 21, 2016.

| Explain below why the Plan is being modified. | Explain below how the Plan is being modified |
|---|---|
| Added HUD Loan. Assumed Auto Lease in the Plan. | Added HUD Loan. Assumed Auto Loan in the plan. |
| Are Schedules I and J being filed simultaneously with this modified Plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date April 3, 2017 /s/ Russell L. Low
Russell L. Low 4745
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: April 3, 2017 /s/ Cesar M. Campos
Cesar M. Campos
Debtor

Date: _____
Joint Debtor

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 Cesar M. Campos
 Debtor

Case No. 16-11111-RG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

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 Total Noticed: 32

Date Rcvd: Apr 04, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 06, 2017.

db
 516129649 +Cesar M. Campos, 27 St. James Place, Clifton, NJ 07013-3426
 515957628 +ACAR Leasing LTD, POB 183692, Arlington, TX 76096-3692
 515957627 +APEX ASSET, 2501 OREGON PIKE, LANCASTER, PA 17601-4890
 516001949 +American Express, PO BOX 3001, 16 GENERAL WARREN BLVD, MALVERN, PA 19355-1245
 American Express Centurion Bank, c o Becket and Lee LLP, PO Box 3001,
 Malvern, PA 19355-0701
 515957629 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, ATTN: RECOVERY DEPARTMENT, 4161 PIEDMONT PKWY,
 GREENSBORO, NC 27410)
 516193372 BANK OF AMERICA, N.A., PO BOX 31785, Tampa FL 33631-3785
 516058595 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
 515957632 +Citibank, CITICORP CREDIT SRVS/CENTRALIZED BANKRUPT, PO BOX 790040,
 SAINT LOUIS, MO 63179-0040
 515957633 ++DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577
 (address filed with court: Dell Financial Services, DELL FINANCIAL SERVICES ATTN: BANKRUPTCY,
 PO BOX 81577, AUSTIN, TX 78708)
 515957635 +DSNB MACYS, MACYS BANKRUPTCY DEPARTMENT, PO BOX 8053, MASON, OH 45040-8053
 516114927 ECASSET SETTLEMENT CORPORATION, PO BOX 29262, NEW YORK, NY 10087-9262
 515957637 +Firststar/US Bank, US BANK BANKRUPTCY DEPT, PO BOX 5229, CINCINNATI, OH 45201-5229
 515957639 +GM FINANCIAL, PO BOX 181145, ARLINGTON, TX 76096-1145
 515957641 +Hsbc Bank, PO BOX 30253, SALT LAKE CITY, UT 84130-0253
 515957643 +MB FIN SVCS, 36455 CORPORATE DR, FARMINGTON HILLS, MI 48331-3552
 516103138 +Midland Funding LLC, PO Box 2011, Warren MI 48090-2011
 515957630 +Monica Campos, 27 St. James Place, Clifton, NJ 07013-3426
 515957646 +SUMMIT COLLECTION SVCS, PO BOX 306, HO HO KUS, NJ 07423-0306
 515957645 +St Joseph's Regional Medical Center, 703 Main Street, Paterson, NJ 07503-2621
 515957648 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Financial Services, PO Box 9490, Cedar Rapids, IA 52409)
 515977902 +U.S. Department of, HUD, 451 7th Street SW, Washington, DC 20410-0002

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Apr 05 2017 00:03:40 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Apr 05 2017 00:03:35 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 515957625 +E-mail/Text: ally@ebn.phinsolutions.com Apr 05 2017 00:02:37 ALLY FINANCIAL,
 200 RENAISSANCE CTR, DETROIT, MI 48243-1300
 516004444 E-mail/Text: ally@ebn.phinsolutions.com Apr 05 2017 00:02:37 Ally Financial Lease Trust,
 PO Box 130424, Roseville MN 55113-0004
 515957631 +E-mail/Text: cms-bk@cms-collect.com Apr 05 2017 00:03:25 Capital Management Services, Inc.,
 726 Exchange Street, Buffalo, NY 14210-1485
 515964648 E-mail/Text: mrdiscen@discover.com Apr 05 2017 00:02:38 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 515957634 +E-mail/Text: mrdiscen@discover.com Apr 05 2017 00:02:38 Discover Financial,
 ATTENTION: BANKRUPTCY DEPARTMENT, PO BOX 3025, NEW ALBANY, OH 43054-3025
 515957642 +E-mail/Text: bk@lendingclub.com Apr 05 2017 00:04:07 LENDING CLUB CORP,
 71 STEVENSON ST STE 300, SAN FRANCISCO, CA 94105-2985
 515957644 +E-mail/Text: cowens@nationwideacceptance.com Apr 05 2017 00:04:05 Nationwide Acceptance,
 105 DECKER CT. SUITE 725, IRVING, TX 75062-2815
 515957647 +E-mail/PDF: gecsed@recoverycorp.com Apr 04 2017 23:59:11 SYNCB/JCP, PO BOX 965007,
 ORLANDO, FL 32896-5007

TOTAL: 10

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

515957626* +ALLY FINANCIAL, 200 RENAISSANCE CTR, DETROIT, MI 48243-1300
 515957636* +Dsnb Macys, MACYS BANKRUPTCY DEPARTMENT, PO BOX 8053, MASON, OH 45040-8053
 515957638* +Firststar/US Bank, US BANK BANKRUPTCY DEPT, PO BOX 5229, CINCINNATI, OH 45201-5229
 515957640* +GM FINANCIAL, PO BOX 181145, ARLINGTON, TX 76096-1145
 515957649* ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Financial Services, PO Box 9490, Cedar Rapids, IA 52409)
 515957650* ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Financial Services, PO Box 9490, Cedar Rapids, IA 52409)
 515957651* ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Motor Credit Co, TOYOTA FINANCIAL SERVICES, PO BOX 8026,
 CEDAR RAPIDS, IA 52408)

TOTALS: 0, * 7, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0312-2

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 32

Date Rcvd: Apr 04, 2017

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 06, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 3, 2017 at the address(es) listed below:

Charles G. Wohlrab on behalf of Creditor Nationstar Mortgage LLC cwohlab@logs.com,
njbankruptcynotifications@logs.com
Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor BANK OF AMERICA, N.A. jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com
Marie-Ann Greenberg magecf@magtrustee.com
Russell L. Low on behalf of Debtor Cesar M. Campos rbear611@aol.com, lowlaw505@gmail.com
TOTAL: 5